



USDA Foreign Agricultural Service

# GAIN Report

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## India

### FAIRS Product Specific

### GOI proposes Amendment to the PFA Rules regarding Labeling of GM Foods

**2006**

**Approved by:**

Chad R. Russell

U.S. Embassy, New Delhi

**Prepared by:**

Santosh Singh

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**Report Highlights:**

On March 10, 2006, the Department of Health, Ministry of Health and Family Welfare, Government of India (GOI) issued a draft notification proposing amendment to the "Prevention of Food Adulteration Rules," (PFA) regarding labeling of genetically modified food. This proposed amendment has not been notified to the WTO.

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Unscheduled Report  
New Delhi [IN1]  
[IN]

**Introduction:** This report summarizes a proposed amendment to the "Prevention of Food Adulteration Rules," which pertains to labeling of genetically modified (GM) foods. The Department of Health, Ministry of Health and Family Welfare, Government of India (GOI) announced this draft change in the Gazette of India on March 10, 2006. This proposed amendment has not been notified to the WTO. The draft announcement is expected to be posted on the Ministry of Health website shortly.

**Disclaimer:** This summary is based on a *cursory* review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural exports to India.

**Type of Regulation:** Draft

**Important Dates:**

- **Publication Date:** March 10, 2006
- **Time period for receiving Comments/suggestions:** May 9, 2006

**Products Affected:** Various food products

**Agency in Charge:** Department of Health, Ministry of Health and Family Welfare, Government of India

**Comments or suggestions should be addressed to:**

Secretary  
Ministry of Health and Family Welfare  
Government of India  
Nirman Bhavan  
New Delhi – 110 011  
E-mail: [secyhlth@nb.nic.in](mailto:secyhlth@nb.nic.in)

**Proposed Changes:**

**In the Prevention of Food Adulteration Rules, 1955, after Rule 37D, following should be inserted,**

Quote

37-E Labeling of GM Food: Genetically engineered or modified foods means food and food ingredients composed of or containing genetically modified or engineered organisms obtained through modern biotechnology, or food and food ingredients produced from but not contained genetically modified or engineered organisms obtained through modern biotechnology;

In addition to the labeling provisions as prescribed under these rules, the Genetically Modified food shall also conform to the following labeling requirements:

(a) a GM food, derived there from, whether it is primary or processed or any ingredient of food, food additives or any food product that may contain GM material shall be compulsorily labeled, without any exceptions;

(b) the label of all package(s) of GM Food(s) or foods containing ingredients, derived from Biotechnology or Bioengineering or food additives or any food product that may contain GM material shall indicate that they have been subject to genetic modification. These provisions will be applicable to all such products both imported or domestically produced; and

(c) the label of imported GM food or derived there from, whether it is primary or processed or any ingredient of food, food additives or any food product that may contain GM material shall also indicate that the product has been cleared for marketing and use in the country of origin so that the verification, if needed can be taken up with that country without having to resort to testing.

After Rule 48E of the Rules, the following should be inserted,-

48-F Restriction on Sale of Genetically Modified Food: No person shall except with approval of and subject to the conditions that may be imposed by the Genetic Engineering Approval Committee (GEAC) constituted under the Environment Protection Act, 1986, manufacture, import, transport, store, distribute or sell raw or processed food or any ingredient of food, food additives or any food product that may contain GM material in the country.

Provide that in case of imported genetically modified foods, the importer shall submit documents supporting the purported clearance at the time of import.

End Quote

This notification is expected to be posted on the Ministry of Health website at: [www.mohfw.nic.in/pfa.htm](http://www.mohfw.nic.in/pfa.htm) shortly. This website is mentioned for readers' convenience; USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in the above sites.